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The meeting was called to order at 3.20 p.m.

Agenda item 62: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*)

Draft resolution A/C.3/62/L.5: Implementation of the World Programme of Action Concerning Disabled Persons: realizing the Millennium Development Goals for persons with disabilities

1. **Mr. Hermoso** (Philippines) introduced draft resolution A/C.3/62/L.5 and said that Andorra, Azerbaijan, Belarus, Cambodia, Jordan, Panama, the Republic of Korea and Turkey had become sponsors. His delegation was concerned that, despite the international community's efforts to reach the Millennium Development Goals (MDGs) by 2015, the strategies employed for that purpose were not benefiting the most isolated individuals. Persons with disabilities, in particular, were least likely to benefit from conventional development policies. The draft was intended to ensure that persons with disabilities became part, on equal footing, of the global campaign to reach the MDGs. The 1983 World Programme of Action concerning Disabled Persons was particularly relevant at that time, as it provided guidelines on how to analyse and deal with their situation and could therefore assist them in achieving the MDGs. The Programme also called for the mainstreaming of disability issues in all development processes, and called upon Governments and other stakeholders to address the situation of persons with disabilities in the context of the MDGs.

2. **Mr. Khane** (Secretary of the Committee) announced that Cameroon, Guinea, Indonesia, the Libyan Arab Jamahiriya, Mali, Paraguay and Senegal had become sponsors of the draft resolution.

Agenda item 63: Advancement of women (*continued*)

(a) Advancement of women (*continued*) (A/C.3/62/L.14)

Draft resolution A/C.3/62/L.14: Violence against women migrant workers

3. **Ms. Banzon-Abalos** (Philippines), introducing draft resolution A/C.3/62/L.14, co-sponsored by Indonesia, explained that it contained the essential elements of resolution 60/139, adopted by the General Assembly by consensus, but sharpened its focus on the situation of women migrant workers and reflected recent developments in that area, particularly since the consultations in September 2006 at the High-level Dialogue on International Migration and Development.

4. The main objective of the draft resolution was to ensure that legislation and policies relating to migration and labour were human rights-based, gender-sensitive and did not reinforce discrimination and prejudice against women. It also differed from resolution 60/139 in its clearer definition of all stakeholders' shared responsibility to create an environment that protected women migrant workers, stressing the vulnerability of those women, whose rights were not well known, particularly when they found themselves in irregular situations. Further, it called for a stronger emphasis on preventive efforts to address violence against women migrant workers, by improving their access to information on migration and on their basic human rights. The draft resolution also called for training for public officials who came into contact with migrants. The resolution highlighted the importance of cooperation among States and other members of the international community in order to improve the collection and analysis of data and information that would guide policies affecting the rights and situation of women migrant workers. Finally, as migration was usually represented as a gender-neutral phenomenon, the resolution intended to increase gender sensitivity in migration and labour and to recognize that women migrant workers had an active role in development and required special protection. She hoped that the draft resolution would be adopted by consensus.

5. **The Chairman** announced that Ecuador, Ethiopia, Guatemala, Guinea, Kenya, Mali, Paraguay, Senegal and Uganda had become sponsors of the draft resolution.

Draft resolution A/C.3/62/L.15: Intensification of efforts to eliminate all forms of violence against women

6. **Mr. Fieschi** (France), speaking on behalf of his country and of the Netherlands, introduced draft resolution A/C.3/62/L.15 and announced that Croatia, Honduras, Malta, Montenegro and Romania had become sponsors of the draft resolution. As a follow-up to resolution 61/143, which had been adopted on 19 December 2006 by consensus, the draft resolution

was primarily procedural in nature in that it welcomed the Organization's efforts to follow up resolution 61/143 and clarified certain provisions in the resolution. The draft resolution was being negotiated in a constructive manner, and he hoped that it would receive the support of the largest possible number of delegations.

7. **The Chairman** announced that Albania, Brazil, Bulgaria, Burkina Faso, Cameroon, the Dominican Republic, Georgia, Haiti, Lesotho, Liberia, Lithuania, Paraguay, San Marino and Turkey had become sponsors of the draft resolution.

Draft resolution A/C.3/62/L.17: United Nations Development Fund for Women

8. **Ms. Kaljuläte** (Estonia) introduced draft resolution A/C.3/62/L.17 on behalf of its sponsors: Croatia, Estonia, Guatemala, Iceland, Jordan, Kazakhstan, Mexico, New Zealand, Norway, the Republic of Korea, the Sudan, Switzerland and Turkey. The 2004-2007 multi-year funding framework of the United Nations Development Fund for Women (UNIFEM) was ending in 2007 and the review of its application in document A/62/188 showed that the Fund continued to assist all countries in achieving the objectives of gender equality and empowerment of women, as outlined in the MDGs, the Beijing Programme of Action, the Convention on the Elimination of All Forms of Discrimination against Women and Security Council resolution 1325 (2000). The Fund was intensifying its role in the United Nations system and on its behalf. On the basis of that experience, the Fund's strategic plan for 2008-2011 aimed to reinforce its development effectiveness, strengthen its strategic partnerships and mobilize resources for the coming years. The plan's priorities and objectives had been endorsed by the Executive Board of the United Nations Development Programme and of the United Nations Population Fund in September 2007. The plan should enable the Fund to implement its core mandate of assisting countries to achieve gender equality and women's empowerment in line with their national priorities.

9. The draft resolution recalled that it was essential for all relevant United Nations organs to coordinate their action at all levels in order to support countries in advancing gender equality, and that the Fund must provide the required expertise to support United Nations programmes and policies in that area. It also emphasized the importance of the Trust Fund in Support of Actions to Eliminate Violence against Women, established in 1995. She welcomed the fact that the support given to the Fund was reflected in the increase in voluntary contributions in recent years, and hoped that the draft resolution would receive the support of all delegations.

10. **Mr. Khane** (Secretary of the Committee) announced that Belize, Costa Rica, the Dominican Republic, Ecuador, Ethiopia, Honduras, Liberia, Mali, Paraguay, Timor-Leste and Uganda had become sponsors of the draft resolution.

Draft decision A/C.3/62/L.18: Term of office of the members of the Consultative Committee on the United Nations Development Fund for Women

11. **Ms. Kaljuläte** (Estonia) introduced draft decision A/C.3/62/L.18 on behalf of the members of the Consultative Committee of the United Nations Development Fund for Women. The Committee, consisting of members from the five regional groups, worked closely with the Fund with regard to its policies and activities, providing any necessary advice and support. To enhance that interaction and maintain the continuity of its work, it had put forward a draft procedural decision to institute a rotation among its members. According to the decision, the two new members, who would be designated by the President of the General Assembly in accordance with paragraph 13 of the annex to resolution 39/125, would be granted a full term of three years, after the resignation of the members from the Asian Group and the Group of Latin American and Caribbean States, commencing on 1 January 2008 and ending on 31 December 2010, and the remaining three members of the Consultative Committee would continue to serve their three-year terms until 31 December 2009. She hoped that delegations would support the draft decision, which would help to strengthen the relationship between UNIFEM and Member States.

12. **The Chairman** announced that Honduras and Kenya had become sponsors of the draft decision.

Draft resolution A/C.3/62/L.20: Convention on the Elimination of All Forms of Discrimination against Women

13. **Mr. Rasmussen** (Denmark) introduced draft resolution A/C.3/62/L.20, which contained

recommendations made by the Committee on the Elimination of Discrimination against Women. He referred to paragraphs 14 and 15, whereby the Committee would be authorized on a temporary basis to hold three annual sessions of three weeks each, effective from January 2008, and to meet in 2008 and 2009 for up to seven days in parallel working groups during one of its annual sessions, which would enable it to reduce the backlog of States parties' reports awaiting consideration. The programme budget implications of the recommendations contained in the report of the Committee on its thirty-ninth session were set out in document E/2007/L.42.

14. **Mr. Khane** (Secretary of the Committee) announced that Armenia, Botswana, Croatia, the Dominican Republic, Ecuador, Honduras, Paraguay and Romania had become sponsors of the draft resolution.

Agenda item 66: Promotion and protection of the rights of children (*continued*)

(a) Promotion and protection of the rights of children (*continued*) (A/C.3/62/L.22)

Draft resolution A/C.3/62/L.22: World Autism Awareness Day

15. **Ms. Al-Thani** (Qatar) introduced the draft resolution on behalf of its sponsors and expressed her gratitude for their cooperation. Her delegation hoped that the draft resolution would be supported by all delegations and would continue to conduct consultations until a consensus was reached.

16. **Mr. Khane** (Secretary of the Committee) announced that Brazil, Costa Rica, Côte d'Ivoire, Ecuador, Honduras, the Islamic Republic of Iran, Jamaica, Kenya, Liberia, Nicaragua and Uganda had become sponsors of the draft resolution.

Agenda item 70: Promotion and protection of human rights (*continued*) (A/62/36, 369 and 464)

(a) Implementation of human rights instruments (*continued*) (A/62/40, vols. I and II, 44, 48, 180, 189, 221, 224, 273 and 299)

(f) Celebration of the sixtieth anniversary of the Universal Declaration of Human Rights (*continued*)

17. **Mr. Butagira** (Uganda) said that, although the Universal Declaration of Human Rights was not binding in his country it constituted the basis of the Constitution. Therefore, certain rights could not be infringed in Uganda, including the right to freedom from torture and other cruel, inhuman or degrading treatment or punishment, the right to freedom from slavery or servitude, the right to a fair trial and the right to habeas corpus. Those rights were enforced by an independent judiciary, including the Constitutional Court, and by the Uganda Human Rights Commission, the Inspector-General of Government and the Parliament. The new constitution currently being drafted sought to establish a democratic system based on the rule of law and Uganda was a party to several international and regional human rights instruments. Therefore, it did not need people who had set themselves up as the world's policemen and used human rights as a political instrument to serve their own interests. The Human Rights Council had been established to prevent such manipulation. Therefore, Member States must support it and combat attempts to bypass it.

18. The Ugandan Government's Justice, Law and Order programme was focused on reform of the criminal and commercial justice system. It sought to improve access to justice and ensure that its effectiveness and quality were maintained to better combat poverty. The Ministry of Justice was responsible in particular for implementing a plan to increase the number of judges in rural areas to facilitate and expedite access to criminal justice. In the commercial justice sector the Government was committed to ensuring an environment conducive to local and foreign investment.

19. The Government was aware of its responsibility for ensuring transparency in public life and was concerned by the negative impact of corruption on economic growth, poverty alleviation and maintenance of the rule of law. It was currently developing and updating anti-corruption legislation.

20. The parliamentary oversight committees continued to play an important role in combating corruption. The Prevention of Corruption Act had been revised to widen the scope of the legislation and strengthen the penalties under it. The revised bill would bring Ugandan legislation into line with the United Nations Convention against Corruption, which Uganda had ratified in September 2004.

21. His delegation called on Member States to strengthen the mechanisms to promote an integrated

and universal approach to human rights and supported the streamlining of human rights reporting procedures to make it easier for Member States to fulfil their reporting obligations.

22. **Ms. Medal** (Nicaragua) explained that her Government, which was a party to the seven major international human rights instruments, had been unable between 1990 and 2006 to meet its obligation to submit periodic reports on the implementation of the rights recognized in those instruments. As it was aware of the importance of promoting those rights and had just been elected to serve on the Human Rights Council until 2010, Nicaragua had submitted reports on the implementation of the human rights instruments a few months previously, some of which were more than 15 years late, including the common core document and 13 periodic reports. It had also signed the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

23. The Government of Reconciliation and National Unity attached much importance to the protection of human rights in Nicaragua, including the elimination of poverty, the campaign against hunger, access to education, free public health services and employment for all, which were particularly urgent goals. The reports which it had submitted to the treaty bodies had enabled it to fulfil its international obligations in that respect and to assess the human rights situation. Civil society had cooperated with it for that purpose and provided it with invaluable assistance. Through the recently established Inter-agency Committee on Human Rights the Government was systematically checking whether national legislation and international agreements for the protection of human rights were being duly respected. It had benefited from the support of Denmark and technical assistance from the United Nations Development Programme and the Office of the High Commissioner for Human Rights in all those activities.

24. The Government sought to ensure follow-up and implementation of national legislation and international standards relating to human rights by giving particular attention to vulnerable and minority groups through the establishment of the necessary mechanisms. It also supported the efforts made by the treaty bodies to harmonize their working methods and thus increase their efficiency.

25. With the assistance of the international community, Nicaragua was determined to work towards the elimination of poverty, the achievement of sustainable development and the full exercise of fundamental rights in its territory and throughout the world.

26. **The Chairman** said that the Committee had concluded its general discussion of agenda item 70 (a) and (f).

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*)

27. **Mr. Muburi-Muita** (Kenya) said that his delegation aligned itself with the statement made by the representative of Benin on behalf of the African Group. Development was central to the full enjoyment of human rights, which were universal, indivisible, interdependent and interrelated. While the international community attached great importance to ensuring respect for and preventing the violation of civil and political rights, it tended to relegate respect for economic, social and cultural rights to second place, failing to condemn massive violations thereof even though all those fundamental rights were indissociable.

28. The human rights treaty bodies played an indispensable role in promoting universal respect for and effective implementation of the treaties. They engaged in ongoing dialogue with States, provided them with guidelines and recommendations and issued general comments and concluding observations designed to assist States to comply with the provisions of the various human rights treaties. The reporting obligations incumbent upon States were burdensome, however, and the Office of the United Nations High Commissioner for Human Rights should therefore step up relevant technical assistance and capacity-building activities. Kenya had made tremendous efforts to honour its reporting obligations and had thus managed, in 2007, to submit a combined periodic report to the Committee on the Elimination of Discrimination against Women, an initial report to the Committee on Economic, Social and Cultural Rights and the report required pursuant to the Convention on the Rights of the Child.

29. Kenya had made substantial progress in its efforts to incorporate the provisions of various human rights instruments, including the Convention on the Rights of

the Child and the Convention on the Elimination of All Forms of Discrimination against Women, into its domestic legislation. It had also established a task force on the implementation of international humanitarian law and had undertaken to draft a national human rights policy and a plan of action for the promotion and protection of those rights. To that end, a number of measures had been taken over the past four years, including the establishment of the Kenya National Commission on Human Rights, an inter-ministerial committee responsible for advising the Government on its international human rights obligations and a multisectoral steering committee to coordinate the development of the national human rights policy and plan of action. Within the framework of the New Partnership for Africa's Development (NEPAD), Kenya had undergone the African Peer Review Mechanism process. It had also initiated reforms of its criminal justice system with a view to improving access to justice and enhancing equity, particularly for the poor people, enacted human rights legislation, including the National Gender Commission Act, and launched a programme on governance, justice and law and order.

30. Nevertheless, Kenya still faced a number of challenges: its institutions were weak, although substantial reforms were under way. Citizens were not informed about their fundamental rights, and the Government was seeking to solve that problem with the support of civil society and NGOs. Poverty significantly hindered the enjoyment of fundamental rights — although there had been a slight decrease in the number of Kenyans living below the poverty line — and meant that the basic needs of poor people remained unmet as far as food, housing, education and access to medical facilities and the justice system were concerned. Lastly, constitutional and legislative reform, which had not been an easy process, had begun. In that context, a number of progressive human rights provisions relating to gender equality, citizenship and economic and social rights had met with consensus, and the Law Reform Commission had been revamped so that it could recommend new laws promoting the effective enjoyment of human rights or amend or repeal existing laws.

31. Guided by the principle that all men and women were born equal and acting for the benefit of its population, Kenya was fully committed to meeting its obligations under the international human rights instruments.

32. **Mr. Vohidov** (Uzbekistan) said that, since becoming independent, Uzbekistan had become an active member of the international community. It had ratified more than 60 international human rights treaties and prepared 18 reports on their implementation, and was currently developing or implementing national action plans designed to follow up the recommendations of the treaty bodies. In addition, Uzbekistan had taken all the necessary measures to honour its international commitments to protect human rights by creating the position of Ombudsman and establishing the National Human Rights Centre and the Institute for the Monitoring of Domestic Legislation and its Implementation.

33. Uzbekistan had created the position of Ombudsman in 1997, and had been the first member of the Commonwealth of Independent States to do so. In accordance with the law creating that position, the Ombudsman made it possible for individuals whose rights had been violated to obtain compensation, recommended measures to improve the protection of human rights and provided legal information to the public. The Ombudsman made a real contribution to the protection of human rights in Uzbekistan and submitted annual reports to Parliament which were published and widely distributed.

34. The National Human Rights Centre drafted and submitted Uzbekistan's periodic reports on the implementation of the six main human rights treaties to which the State was a party and, in that capacity, fully complied with the Paris Principles relating to the status and functioning of national institutions for protection and promotion of human rights. It was also responsible for providing information on human rights and ensuring the provision of education and training in that area.

35. The Institute for the Monitoring of Domestic Legislation and its Implementation determined whether domestic legislation was in line with the provisions of the international instruments to which Uzbekistan was a party, whether national mechanisms for the protection of human rights were working properly and whether and why violations of those rights had occurred.

36. NGOs also played an important role in the protection of human rights in Uzbekistan. Associations of lawyers and judges, the Centre for the Study of

Human Rights and Humanitarian Law and many other organizations helped to protect citizens' rights and translated Government policies designed to create a strong civil society into concrete action.

37. There was extremely fruitful cooperation between the national bodies responsible for protecting human rights and the public bodies responsible for implementing and enforcing the law. For instance, in 2004, the Ombudsman, who was empowered to investigate the most serious human rights violations, the Attorney-General and the Ministry of the Interior had concluded mutual assistance agreements with a view to resolving a number of issues relating to the enjoyment of human rights. Similarly, in 2003, the Ministry of the Interior and the Bar Association had signed a protocol on criminal matters intended to safeguard every detainee's right to a defence, regardless of the length of detention.

38. Moreover, a human rights training scheme had been set up within the relevant public services. Senior officials from the Ministry of the Interior and staff from the Attorney-General's Office and the Ministry of Justice, in particular, participated in relevant training and refresher courses. Over 100 regional and international legal texts, including the seven main international human rights treaties, had been translated into Uzbek and published.

39. Uzbekistan stood ready to honour its international commitments in the area of human rights, to pursue the reforms it had undertaken in that area and to cooperate fully and transparently with the treaty and Charter bodies of the United Nations.

40. **Ms. Abdelhak** (Algeria) said that paragraph 8 of the Vienna Declaration adopted at the Vienna Conference in 1993 continued to be interpreted in a selective and restrictive manner and the focus continued to be on the political dimension of human rights to the detriment of the economic and social dimension. In her view, efforts to mainstream a human rights perspective into all United Nations activities should be encouraged but should be part of a viable and constructive strategy designed to foster wider acceptance and more effective promotion of economic, social and cultural rights.

41. Recognizing that human rights were universal certainly did not mean that there was only one social or political model. It was clear from the Vienna Declaration that such universality was meaningful only when taken together with the recognition of cultural, historical and geographical particularities and when it was based on the principles of international law that formed the legal and political foundation of the United Nations and the system of international relations, namely the principles of the sovereign equality of States, non-interference in the internal affairs of States and respect for democratically chosen political, economic and social systems. Indeed, the desire of States to create a forum for dialogue and cooperation that was immune to the selective and politicized processes that had characterized the Commission on Human Rights had led to the establishment of the Human Rights Council. In order to improve the human rights practices of States, their level of development and differing situations must be taken into account and their individual characteristics respected. In order to build on the progress made at the Vienna Conference, it was important and useful to conduct a rigorous and objective evaluation of the implementation of the Vienna Declaration and Programme of Action within the framework of the Human Rights Council.

42. Algeria attached great importance to human rights and, in order to strengthen the relevant legal framework and ensure that those rights were protected more effectively, had made justice sector reform a priority. Accordingly, the Codes of Criminal and Civil Procedure, the legal aid regime and the functioning of the prison system had been completely overhauled. The Family Code and the Nationality Code had also been significantly amended.

43. As a party to the principal international human rights instruments, including the two optional protocols to the Convention on the Rights of the Child, which it had ratified in 2006, Algeria fulfilled its treaty obligations. It reported regularly, within the prescribed time limits, to the relevant committees and intended to further its cooperation and dialogue with the latter and with the non-treaty human rights bodies of the United Nations. It would also continue to cooperate with international human rights NGOs.

44. The current transition to democracy had allowed for the establishment of elected pluralist institutions. At all levels, individuals directly elected by the people were now in charge of national affairs. Algeria had made a definitive choice to abide by the principles of rotating leadership and free and fair elections by enshrining them in its basic legislation. Dozens of political parties were active in Algerian politics, some

of which were represented in the National Assembly. Civil society was flourishing and the press was particularly dynamic, diverse and free. Algeria was committed to seeing the process of democratization through to its conclusion, and had given priority to ensuring the enjoyment of economic, social and cultural rights.

45. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 70 (d).

The meeting rose at 4.50 p.m.